

David H. Madden  
Mersenne Law LLP  
9600 S.W. Oak Street  
Suite 500  
Tigard, Oregon 97223  
(503)679-1671  
dhm@mersenne.com

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION

**VOLTAGE PICTURES LLC**, a California  
limited-liability company,  
Plaintiff,

*v.*  
**DOEs 1-50,**  
Defendants

Civil Action No.: ..... 6:14-cv-00812-MC  
.....*related* 6:14-cv-00816-MC

**UNOPPOSED MOTION TO CORRECT  
PRO HAC ADMISSION OF MORGAN  
PIETZ**

ON 21 May 2014, the undersigned moved to admit California attorney Morgan PIETZ *pro hac vice* in this matter to represent “certain DOEs 1-50.” The proposed order also referenced “certain anonymous John Does in the above-captioned matter.” However, an entry on the Court’s Application for Special Admission form stated that Mr. PIETZ would represent “DOES 1-50.” This statement was in error.

Mr. PIETZ and the undersigned represent a total of seven (7) unnamed, unidentified and unserved DOE defendants in the present action and related action

6:14-cv-00816-MC. In prior filings, and for reasons explained in the Motions to Quash submitted in the Oregon state court cases (copies included in the PACER docket at doc. #1, Exhibit #2), counsel have referred to the DOEs they represent by the initials A–G, rather than by Plaintiff's DOE numbers or IP addresses. These defendants were dismissed via the Court's Order on 21 May 2014.

This Motion is submitted to notify the Court that neither Mr. PIETZ nor the undersigned represent DOE #1 in either action. Any understanding to the contrary is incorrect, and counsel regret that their filings may have allowed this mistake to enter the record.

Counsel are prepared to identify their clients for the Court by filing, under seal, the DOE defendants' names, addresses, and copies of the Internet Service Provider letters by which these individuals became aware of these proceedings. However, for reasons previously described, and as will be argued in further detail in planned oppositions to Plaintiff's Motion to Remand (doc. #9)<sup>1</sup>, the DOEs identities should not be made public at the present stage of these proceedings.

///

///

///

///

///

---

<sup>1</sup> Although PIETZ and MADDEN's clients were dismissed by the Court's May 21<sup>st</sup> Order, Plaintiff's Motion to Remand also has the practical effect of a motion to reconsider the dismissal. If, as Plaintiff argues in its Motion to Remand, this Court lacks jurisdiction over Plaintiff's claims, then a grant of remand would call into question the propriety of the May 21<sup>st</sup> dismissal of DOEs beyond DOE #1. Thus, the "dismissed" DOEs would once again be placed in jeopardy in the state court action, and would have been deprived of their opportunity to argue here in favor of Federal jurisdiction of the action and preemption of Plaintiff's claims by the Copyright Act.

Respectfully submitted,

29 May 2014

---

Date	David H. Madden, SBN OR080396 Attorney for DOEs A-G ( <i>not</i> DOE #1) Mersenne Law LLP 9600 S.W. Oak Street Suite 500 Tigard, Oregon 97223 dgm@mersenne.com (503)679-1671
------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------